## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CIVII	<b>ACTION</b>
CIVIL	ACTION

IN RE HERLEY INDUSTRIES INC.

SECURITIES LITIGATION : No. 06-2596

## **ORDER**

AND NOW, this 30<sup>th</sup> day of September, 2009, Defendants' Motion to Dismiss (Document 121) is DENIED.